

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 5919 OF 2016

Rekha @ Meenabai Vijay Choudhari

...APPLICANT

versus

The State of Maharashtra & anr.

...RESPONDENTS

.....
Mr. S. J. Salunke , Advocate for Applicants
Mr. S. R. Yadav , APP for Respondent State
.....

**CORAM : S.S. SHINDE AND
K.K. SONAWANE, JJ.**

DATED : 16th DECEMBER, 2016.

Order :-

1. The learned APP appearing for respondent – State on written instructions submits that in the present matter the Investigating Officer has filed the charge-sheet in the concerned Court on 09-09-2016 and it came to be registered as Regular Criminal Case No. 378 of 2016.
2. The learned counsel for the applicant submits that pursuant to filing of the charge-sheet, he will amend the present application.
3. It appears that this application is filed on 17-10-2016 and as submitted by the learned APP the charge-sheet came to be filed on 09-09-2016. In the present application, only First Information Report is challenged.
4. Be that as it may, we are not inclined to entertain the prayer of the applicant to amend the application questioning the charge-sheet.

However, in case the applicant is advised he may avail appropriate remedy as may be permissible in law by filing application for discharge before the concerned Court, within a period of three weeks from today. If such application for discharge is filed within aforesaid period, the concerned court to decide the same on its own merits and in accordance with law, as expeditiously as possible, however, within six weeks from the date of filing of such application.

5. With the above observations, Criminal Application stands rejected.

Sd/-

[K. K. SONAWANE, J.]

Sd/-

[S.S. SHINDE, J.]

MTK